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**Assignee:** Marathon Oil Company  
**Application No.:** 10/626,298  
**Filing Date:** 07/24/2003  
**Title:** Process for Pressure Stimulating a Well Bore Through a Template  
**First Named Inventor:** Gary J. Collins et al.  
**Attorney Docket No.:** 990019 USA D02  
**Art Unit:** 3672  
**Examiner:** Hoang C. Dang

**Please see the attached documents:**

- Petition to Accept Late Payment of Issue Fee dated 3/30/2006 (including Exhibits A-D)
- PTOL 85 Part B – Issue Fee Transmittal

**CERTIFICATE OF TRANSMISSION**

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Denise E. Voris

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re: Application of  
Gary J. Collins et al.

Serial No.: 10/626,298  
Filed: July 24, 2003  
Docket No.: 990019 USA D02

Art Unit 3672  
Examiner Hoang C. Dang

For: Process for Pressure Stimulating a Well Bore through a Template

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March 30, 2006

Commissioner for Patents  
Alexandria, VA 22313

Sir:

**PETITION TO ACCEPT LATE PAYMENT OF ISSUE FEE**

Applicants request acceptance of the issue fee for the captioned application because the "Notice of Allowance and Fee(s) Due" (PTOL-85) having a date due of December 19, 2005 was not received by the Attorney for Applicants. The Attorney for Applicants only became aware of that this Notice of Allowance was sent upon receipt of a Notice of Abandonment dated February 3, 2006. The Part B of the Notice of Allowance and Fee(s) due that being submitted concurrently herewith was printed after receipt of the Notice of Abandonment by Attorney for Applicants using the Patent Application Information Retrieval ("PAIR") system.

Pursuant to M.P.E.P. §711.03 (c), I, A, Attorney for Applicants provides the following statements in support of this petition.

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March 30, 2006  
Date of Signature

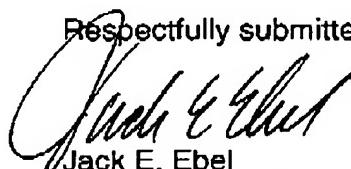
Denise E. Voris  
Denise E. Voris

1. Attorney for Applicants did not receive the original "Notice of Allowance and Fee(s) Due" (PTOL-85) with a mailing date of September 19, 2005.
2. Attorney for Applicants has reviewed the file jacket and docket records for the captioned U.S. patent application (Docket No. 990019 USA D02; serial no. 10/626,298). The file jacket and the docket records indicate that the "Notice of Allowance and Fee(s) Due" form in question was not received by Attorney for Applicants.
3. Attached as Exhibits A-C are docket records for the Attorney for Applicants for the period from 09/12/05 to 11/04/05, which includes the three month period for response (09/19/05 – 12/19/05) for the non received the "Notice of Allowance and Fee(s) Due" form. Docket records, including those attached as Exhibits A-C, are manually prepared on at least a monthly basis by Attorney for Applicants.
4. Also attached as Exhibit D is a record for the captioned U.S. patent application (Docket No. 990019 USA D02; serial no. 10/626,298) from the annuity database which is maintained by Attorney for Applicants and is also used to evidence actions received and responses due by Attorney for Applicants. This database record further indicates that the "Notice of Allowance and Fee(s) Due" form in question was not received by Attorney for Applicants.
5. Attached Exhibits A-D indicate that the "Notice of Allowance and Fee(s) Due" form in question was not received by the Attorney for Applicants during the time period for response (09/19/05 – 12/19/05).

3

In view of the foregoing statements, Applicants request that the holding of abandonment for the captioned application be withdrawn. In addition, Applicants request that the "Part B – Fee(s) Transmittal and attendant issue fee be accepted and processed.

Respectfully submitted,



Jack E. Ebel  
Reg. No. 28,148  
Attorney for Applicants

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## EXHIBIT A

## DOCKET

Client	Docket No.	Inventor	Title	Action/Date	Due Date
Marathon	200305 USA	Caldwell et al.	PIP appln.	IDS (Due Now)	7/1/05
Marathon	200402 USA	Treesh et al	Converting Hydro-carbon	IDS (DUE NOW)	8/6/05
Marathon	200303 USA	Caldwell		Foreign Filing—send letter (9 mth rem)	9/22/05
Marathon	200303 USA	Snider et al.		Response to OA base date 8/9/05 (1 mth Remind) IDS and new Assignment due.	10/9/05
Marathon	200301 USA	Jabusch	Signals through a metal tubular	DUE NOW Office Action and IDS (base date of 7/11/05)	10/11/05

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## EXHIBIT B

## DOCKET

Client	Docket No.	Inventor	The	Action/Date	Due Date
Marathon	200305 USA	Caldwell et al.	PIP appn.	IDS Appl. Filing date: 12/22/2004 (Due NOW)	7/1/05
Marathon	200402 USA	Treesh et al	Converting Hydrocarbon	IDS Appl. Filing date:5/6/2005 (DUE NOW)	8/6/05
Marathon	200303 USA	Snider et al.		Response to DA base date 8/9/05 (1 /mth Reminder)	10/9/05
Marathon	200301 USA	Jabusch	Signals through a metal tubular	DUE NOW Office Action and IDS (base date of 7/11/05)	10/11/05
Marathon	200305 USA	Caldwell		DUE NOW Send Foreign Filing letter (10 month reminder) Base date 12/22/2004	10/22/05

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## EXHIBIT C

## DOCKET

Client	Docket No.	Inventor	Title	Action Date	Due Date
Marathon	200305 USA P01	Caldwell et al.	PIP appln.	IDS Appl. Filing date: 12/22/2004 (DUE NOW)	7/1/05
Marathon	200306 USA P01	Waycullis	GTF Filing	IDS Appl. Filing Date: 4/8/2005 (DUE NOW)	7/8/05
Marathon	200402 USA	Treesh et al	Converting Hydrocarbon	IDS Appl. Filing date: 5/6/2005 (DUE NOW)	8/6/05
Marathon	200303 USA	Snider et al.		DUE NOW Response to OA base date 8/9/05	11/9/05
Marathon	200407 USA	Zierolf	Tracking Assets	IDS and new Assignment due DUE NOW File Divisional Application (Note Issue Fee Transmittal due by 1/20/06)	11/10/05
Marathon	200301 USA	Jabusch	Signals through a metal tubular	DUE NOW + 1 MTH EXTENSION Office Action and IDS (base date of 7/11/05)	11/11/05
Marathon	200305 USA	Caldwell		**DUE NOW** Foreign Filing Recommendations- Notify Agents (11 month reminder) Base date 12/22/2004	11/22/05
Marathon	200017 USA	Zierolf	Tracking Assets	Pay Issue Fee Transmittal Base date 10/20/05 due by 1/20/06 (1 month reminder) FILE DIVISION	12/20/05

## EXHIBIT D


**Patent: 19990019, United States, REGULAR CASE TYPE, NATIONAL CASE, DIVISION**
**Patent Data**

Docket Number	19990019	Attorney	JACK E. EBEL
Country	United States	Agent	RODNEY F. BROWN
Case Type	REGULAR CASE TYPE	Client\Division	Marathon Oil Company
Relation Type	DIVISION	Current Owner	Marathon Oil Company
Filing Type	NATIONAL CASE	Previous Owner	
Filing Number	D7	ICXt #10	
Status	FILED	First Filing Date	3/17/2000
Sub Status		Sub Status Date	
Parent Country	United States	Parent Filing Date	3/17/2000
Parent Number	6615920	Parent Grant Date	9/9/2003
Application Number	10/670298	Application Date	7/24/2003
Patent Number		Grant Date	
Publication Number	2004-0238172	Publication Date	12/2/2004
Assigned	ASSIGNMENT RECORDED	Ind. Claims\Designs	3
Convention Type	BASED ON PRIORITY CASE	Total Claims	70
Custom Code #1		Total Classes	
TaxAgent		ConfirmationNumber	2824
Operating Group		Tax Base Date	
Custom Party #1		Next Tax Date	
Custom Party #2		Expiration Date	
Custom Party #3		Custom Text #1	
Custom Party #4		Custom Date #1	
Custom Party #5		Custom Text #2	
Custom Party #6		Custom Date #2	
Custom Party #7		Custom Text #3	
Custom Party #8		Custom Date #3	
Agent Ref No	002P9913-D02	Custom Text #4	
Custom Code #2		Custom Date #4	
Custom Code #3		Text #5	
Custom Code #4		Text #6	
Custom Code #5		Text #7	
Custom Code #6		Text #8	
Custom Code #7		Text #9	
Customer Code		Customer Name	Marathon

**Title**

TEMPLATE AND SYSTEM OF TEMPLATES FOR DRILLING AND COMPLETING OFFSET WELL BORES

**Description**

ONE OR MORE TEMPLATES ARE PROVIDED FOR CIRCULATING FLUIDS IN A MAIN WELL BORE AND FOR DRILLING AND COMPLETING AT LEAST ONE OFFSET WELL BORE FROM THE MAIN WELL BORE. EACH TEMPLATE HAS A BODY, AN INLET LEG, A MAIN OUTLET LEG, AND AN OFFSET OUTLET LEG. A STRADDLE ASSEMBLY IS MOUNTED IN THE TEMPLATE TO CONFIGURE THE TEMPLATE FOR FLUID CIRCULATION. THE STRADDLE ASSEMBLY, IN COOPERATION WITH THE INLET AND MAIN OUTLET LEGS, EFFECTS A DOWNHOLE FLOW PATH WHICH DIRECTS FLUIDS FROM THE INLET LEG THROUGH BODY OF THE TEMPLATE AND OUT THE MAIN OUTLET LEG, BYPASSING THE OFFSET OUTLET LEG. THE STRADDLE ASSEMBLY IS DISTALLY DISPLACED FROM THE TEMPLATE TO CONFIGURE THE TEMPLATE FOR DRILLING. A DIVERTER IS PLACED IN THE BODY OF THE TEMPLATE UPON DISPLACEMENT OF THE STRADDLE ASSEMBLY TO DEFINE A DRILL STRING PATH FROM THE INLET LEG TO THE OFFSET OUTLET LEG. THE OFFSET WELLBORE IS DRILLED BY CONVEYING A DRILL STRING THROUGH THE DRILL STRING PATH. THE DIVERTER MAY THEN BE USED TO DIRECT ADDITIONAL FLUIDS OR TOOLS FROM THE INLET LEG TO THE OFFSET LEG FOR COMPLETION OF THE OFFSET WELL BORE.

**Current Expense Information**

## EXHIBIT D

**Expenses**

Expense	Amount	Expense Date	Invoice Number
ATTORNEY HOURS	1610	2/28/2005	6062
US PATENT OFFICE FEES	200	8/23/2005	claims
ATTORNEY HOURS	805	8/31/2005	6282

**Other Case-Related Information****Actions**

Action	Action Due Date	Deadline Date	Completed Date	Action Notes
INFORMATION DISCLOSURE STATEMENT	7/24/2003		7/21/2003	IDS Based on parent application 09/528,781 filed 3/17/2000
1st Office Action Mailing Date	11/30/2004		11/30/2004	From PTO
PUBLISHED	12/2/2004		12/2/2004	From PTO
RESPONSE TO 1ST OFFICE ACTION	2/28/2005		2/28/2005	R. Brown responded
FINAL REJECTION	5/23/2005		5/23/2005	From PTO 6/21/05: Copy of OA sent to R. Brown to prepare and respond
Final rejection due	8/23/2005		8/23/2005	R. Brown responded
NOTICE OF ABANDONMENT	2/3/2006		2/3/2006	From PTO: failure to timely pay issue fee and publication fee (correspondence never received)
PET TO COMMISSIONER BY DUE DATE	4/3/2006			Petition to withdraw holding of abandonment and mailing of issue fee/publication fee \$1,700

**Inventors**

Inventor	Assignment Date
COLLINS GJ	3/31/2000
BAUGH JL	3/16/2000
MURRAY DJ	3/17/2000
MITTS AC	3/16/2000

CreateUser: legal

UpdateUser: denise

CreateDate: 2/17/2004

UpdateDate: 3/30/2006

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